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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,029	02/03/2004	Michael Pelham	TRAN-P151	3885
7590 05/27/2008 WAGNER, MURABITO & HAO LLP Two North Market Street, Third Floor San Jose, CA 95113				
EXAMINER				
LUI, CHUONG A				
ART UNIT		PAPER NUMBER		
2892				
MAIL DATE		DELIVERY MODE		
05/27/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/772,029

**Applicant(s)**

PELHAM ET AL.

**Examiner**

Chuong A. Luu

**Art Unit**

2892

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 2/13/2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 and 8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1448 or PTO-889)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_
- 7) ☐ Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-5 and 8 have been considered but are moot in view of the new ground(s) of rejection.

## **WITHDRAWN**

The indicated allowability of claim 5 is withdrawn in view of the newly discovered reference(s) to Wong (U.S. 6,570,810) in view of Mokhlesi et al. (U.S. Pub. No. 2005/0127428) and Lee et al. (U.S. 5,913,122). Rejections based on the newly cited reference(s) follow.

## **PRIOR ART REJECTIONS**

### **Statutory Basis**

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

### **The Rejections**

Claims 1-4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong (U.S. 6,570,810) in view of Mokhlesi et al. (U.S. Pub. No. 2005/0127428).

Wong discloses a tiled display structure with

**(1)** specifying a first layer wherein said first layer comprises

a first layer element for a deep N-well pattern;

arranging multiple instances of said tile to an array covering a portion of said integrated circuit design;

merging said tiles to produce a deep N-well pattern (see Figure 3)

**(3)** wherein said first layer element is identical in shape to said second layer element (see Figure 3);

**(2)** wherein said tile further comprises a second layer, wherein said second layer comprises a second layer element (see Figure 3);

**(4)** wherein said first layer element is disposed rotated with respect to said second layer element (see Figure 3);

**(8)** further comprising flattening said first layer and said second layer (see Figure 3).

Wong discloses the above outlined features but silent about creating a tile array. However, Mokhlesi discloses an array of a pillar-type nonvolatile memory cell with **(1)**... creating a tile array (see paragraph [0109]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teaching of Wong (accordance with the teaching of Mokhlesi). Doing so would facilitate the manufacture of the semiconductor device and increase the speed of the semiconductor structure.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wong (U.S. 6,570,810) in view of Mokhlesi et al. (U.S. Pub. No. 2005/0127428) and further in view of Lee et al. (U.S. 5,913,122).

Wong and Mokhlesi teach everything above except for mention editing the tile array. Furthermore, Lee discloses an FET semiconductor device with (5) further comprising editing said tile array (see column 7, lines 44-47). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Wong and Mokhlesi (accordance with the teaching of Lee). Doing so would facilitate the manufacture of the semiconductor device and improve the performance of the integrated circuit device.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuong A. Luu whose telephone number is (571) 272-1902. The examiner can normally be reached on M-F (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thao X. Le can be reached on (571) 272-1708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chuong A Luu/  
Primary Examiner, Art Unit 2892  
May 21, 2008